

10/11/01

Please type a plus sign (+) inside this box

1054 U.S. PTO

10-12-01

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	97020CIP2CON2 (3600-091-04)
First Inventor	Khaled Mahmud
Title	A METHOD OF MAKING A MULTI-PHASE AGGREGATE USING A MULTI-STAGE PROCESS
Express Mail Label No.	EL795622418US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- ☐ Applicant claims small entity status.
See 37 CFR 1.27.
- ☒ Specification [Total Pages **57**]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **1**]
- Oath or Declaration [Total Sheets **2**]
 - ☐ Newly executed (original or copy)
 - ☒ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☐ Application Data Sheet. See 37 CFR 1.76

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - ☐ Computer Readable Form (CRF)
 - Specification Sequence Listing on:
 - ☐ CD-ROM or CD-R (2 copies); or
 - ☐ paper
 - ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

- ☒ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement [] Power of Attorney
(when there is an assignee)
- ☐ English Translation Document (if applicable)
- ☒ Information Disclosure Statement (IDS)/PTO-1449 [8] Copies of IDS Citations
- ☒ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
- ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.
- ☒ Submission of Formal Drawings
- ☐ Other:

18 If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: **09/453,419**Prior application information: Examiner **P. SZEKELY**Group Art Unit: **1714**

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name	Martha Ann Finnegan, Esq.				
	CABOT CORPORATION				
Address	157 Concord Road				
City	Billerica	State	MA	Zip Code	01821-7001
Country	U.S.A.	Telephone	978-670-6198	Fax	978-670-8027

Name (Print/type)	Luke A. Kilyk	Registration No. (Attorney/Agent)	33,251
Signature		Date	October 11, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231..

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 1,676.00

Complete if Known

Application Number Unassigned
Filing Date October 11, 2001
First Named Inventor Khaled Mahmud
Examiner Name Unassigned
Group Art Unit Unassigned
Attorney Docket No. 97020CIP2CON2 (3600-091-04)

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number
Deposit
Account
Name

03-0060

☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
Applicant claims small entity status.
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$) 740.00

2. EXTRA CLAIM FEES

Total Claims 72 - 20** = 52 x Fee from Below 18.00 = 936.00
Independent Claims 2 - 3** = 0 x =
Multiple Dependent

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 936.00

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type) Luke A. Knyk

Signature

Registration No. (Attorney/Agent)

33,251

Complete (if applicable)

Telephone 540-428-1701

Date October 11, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant commissioner for Patents, Washington, DC 20231.

10/11/01



0997569 101101

10-12-01

A

Certificate of Mailing By "Express Mail" (37 CFR 1.10) Applicant(s) Khaled Mahmud et al.		Docket No. 97020CIP2CON2 (3600-091-04)	
Serial No. New Continuation Appln.	Filing Date October 11, 2001	Examiner	Group Art Unit
Title of Invention: A METHOD OF MAKING A MULTI-PHASE AGGREGATE USING A MULTI-STAGE PROCESS			
I hereby certify that the following correspondence: Fee Transmittal Sheet; Utility Patent Application Transmittal; 57 pages of specification, claims and abstract, 1 sheet of Fig. 1; Copy of Executed Declaration (2 pages); Copy of Executed Assignment and Recordation Form (3 pages); Preliminary Amendment; Information Disclosure Statement and PTO Form 1449 (7 pages); and Submission of Formal Drawings (1 sheet, Fig. 1) are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231.			
Date:	October 11, 2001		
 <u>Sandra Stocklinski</u> Typed or Printed Name of Person Mailing Correspondence <u>Sandra Stocklinski</u> Signature <u>EL795622418US</u> ("Express Mail" Mailing Label Number)			

Date: October 11, 2001 Label No. EL795622418US

I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

Sandra Stocklinski

Name (Print)

Sandra Stocklinski
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MAHMUD et al.

Application No.: New Continuation Application
Of U.S. Application No. 09/453,419

Filed: October 11, 2001

)
)
)
)
)
)
)

Parent Group Art Unit: 1714

Parent Examiner: P. SZEKELY

For: A METHOD OF MAKING A MULTI-PHASE AGGREGATE
USING MULTI-STAGE PROCESS

SUBMISSION OF FORMAL DRAWINGS

Assistant Commissioner for Patents
Washington, D.C. 20231

October 11, 2001

Sir:

Submitted herewith is one (1) sheet of formal drawings (Figure 1), for the above-identified application.

In the event any fees are required in connection with this paper, please charge Deposit

Account No. 03-0060.

Respectfully submitted,

Luke A. Kilyk
Luke A. Kilyk
Reg. No. 33,251

Atty. Docket No. 97020CIP2CON2 (3600-091-04)
KILYK & BOWERSOX, P.L.L.C.
53A Lee Street
Warrenton, VA 20186
Tel: (540) 428-1701
Fax.: (540) 428-1720
Enclosure: One (1) Sheet of Formal Drawings

097569-10101
101101-6652660